

9 messages

Deborah MartinNorcross <dmnorcross@martinnorcross.com>**Tue, Feb 5, 2008 at 10:24 AM**

To: "numoh@umohlaw.com" <numoh@umohlaw.com>

Cc: "Harold Derschowitz (x263)" <HDERSCHOWITZ@lskdnylaw.com>

Bcc: dave.milani@plusone.com, "Buffalano, Joseph A" <JBUFFALA@travelers.com>

Dear Uwern:

I sincerely believe in litigating cases as civilly and professionally as possible. That is why I immediately granted your request for an extension of time to respond to our discovery requests.

I have just reviewed what you e-mailed at 11:44 p.m. last night. You have not provided any responsive information or documents. All you have provided are boiler-plate, spurious objections to virtually every request propounded on Ms. Mann by Plus One and Mr. MacDonald. There can be no good faith basis for this lack of compliance with your basic discovery obligations.

Please provide full and complete responses to our clients' interrogatories and document requests by no later than Friday. If you refuse, please so advise me immediately so I can contact the Court. Given the obvious absence of any effort by you and your client to comply with your discovery obligations, I will be seeking sanctions.

I will let you know if we can proceed with Plaintiff's deposition next week when I have had a chance to talk with Harold. I think it is unlikely.

Deborah

Deborah Martin Norcross, Esq.
MartinNorcross LLC
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(609) 249-5860
(609) 945-3912 Fax
dmnorcross@martinnorcross.com

numoh@umohlaw.com <numoh@umohlaw.com>**Tue, Feb 5, 2008 at 11:31 AM**

To: Deborah MartinNorcross <dmnorcross@martinnorcross.com>

Cc: "Harold Derschowitz (x263)" <HDERSCHOWITZ@lskdnylaw.com>

Deborah--

I don't know what is uncivil about objecting in good faith to interrogatories that violate local rules and the FRCP. My email clearly states that hard copies of the documents and CD referenced in plaintiff's responses were going in the mail to all parties. I also provided names of all witnesses that plaintiff is currently aware of.

Let me remind you of your duty to meet and confer over discovery disputes before approaching the court. If

you have any problems with plaintiff's responses, detail them in a deficiency letter.

Uwem I. Umoh
255 Livingston Street,
4th Floor
Brooklyn, NY 11217
718.360.0527
718.360.1916 (Fax)

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[Quoted text hidden]

Deborah MartinNorcross <dmnorcross@martinnorcross.com>

Tue, Feb 5, 2008 at 12:12 PM

To: "numoh@umohlaw.com" <numoh@umohlaw.com>

Cc: "Harold Derschowitz (x263)" <HDERSCHOWITZ@lskdnylaw.com>

If any good faith was evidenced in these responses, I would agree. It is not.

I accept your e-mail as a refusal of our request to answer our interrogatories and document demands properly, and as evidence of an intent to obstruct discovery and to improperly inflate the costs of litigation to these two defendants.

We will provide you with a deficiency letter as you requested. We will include the cost of preparing it in our request for sanctions.

[Quoted text hidden]

numoh@umohlaw.com <numoh@umohlaw.com>

Tue, Feb 5, 2008 at 12:27 PM

To: Deborah MartinNorcross <dmnorcross@martinnorcross.com>

Cc: "Harold Derschowitz (x263)" <HDERSCHOWITZ@lskdnylaw.com>

A reasonable understanding of my request for a deficiency letter is evidence of my intent to respond to your discovery demands, when you offer detailed reasons why my objections were in bad faith.

I await your deficiency letter.

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----- Original Message -----

Subject: Re: Mann v. Plus One, etc.

From: "Deborah MartinNorcross" <dmnorcross@martinnorcross.com>

[Quoted text hidden]

Deborah MartinNorcross <dmnorcross@martinnorcross.com>

Tue, Feb 5, 2008 at 12:42 PM

To: "numoh@umohlaw.com" <numoh@umohlaw.com>

Given your responses and subsequent e-mails, it unfortunately appears that the Court will have to make that determination.

I await receipt of your documents. I expect there will be evidence that they were served yesterday.

[Quoted text hidden]

numoh@umohlaw.com <numoh@umohlaw.com>

Tue, Feb 5, 2008 at 12:49 PM

To: Deborah MartinNorcross <dmnorcross@martinnorcross.com>

As my certification reads, the documents were placed in the custody of the US post Office yesterday.

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----- Original Message -----

Subject: Re: Mann v. Plus One, etc.

From: "Deborah MartinNorcross" <dmnorcross@martinnorcross.com>

[Quoted text hidden]

Deborah MartinNorcross <dmnorcross@martinnorcross.com>

Tue, Feb 5, 2008 at 1:21 PM

Then the postmark should bear you out and you have nothing to worry about on that score.

[Quoted text hidden]

numoh@umohlaw.com <numoh@umohlaw.com>

Tue, Feb 5, 2008 at 2:20 PM

To: Deborah MartinNorcross <dmnorcross@martinnorcross.com>

The postmark will reflect today's date because it was dropped in the post office after hours.

Also understand that whatever motion you are contemplating is frivolous for the reasons I have previously stated:

1. you have not met and conferred
2. my objections are in good faith and proper within the rule.

I await your deficiency letter and motion. Understand that if you decide to pursue this motion, I will seek sanctions for filing a clearly frivolous motion.

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----- Original Message -----

Subject: Re: Mann v. Plus One, etc.

From: "Deborah MartinNorcross" <dmnorcross@martinnorcross.com>

[Quoted text hidden]

Deborah MartinNorcross <dmnorcross@martinnorcross.com>

Tue, Feb 5, 2008 at 3:38 PM

To: "numoh@umohlaw.com" <numoh@umohlaw.com>

Thank you for this e-mail.

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